

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

EDWIN RUIZ,

Supervisee.

No. 11-cr-676-8 (RJS)  
ORDER

RICHARD J. SULLIVAN, Circuit Judge:


The Court is in receipt of a letter from David Ruhnke, Esq., counsel for the Supervisee, advising the Court that the Supervisee now intends to admit to the specified violations of supervised release set forth in the Probation Office’s June 16, 2021 violation report, thereby obviating the need for the evidentiary hearing scheduled for October 5, 2021. (Doc. No. 295.) Counsel also requests that the Supervisee be permitted to remain on release for the duration of the period between his admission to the violations of supervised release and sentencing. (*Id.*)

Although it appears that the Supervisee now intends to admit to the conduct charged in the June 16, 2021 violation report, the Supervisee previously argued that he believed his possession of marijuana was not illegal under state law in light of his possession of a California medical marijuana prescription card (*see* Doc. No. 259 at 3–4); he also asserted that his travel out of state was not a willful violation of the conditions of his supervised release because he assumed he had “blanket permission” to do so (*id.* at 4). Because it is likely that the degree of knowledge and willfulness surrounding the Supervisee’s conduct will be highly relevant going forward, and because the evidence to be presented at the October 5th hearing will almost certainly address the details of both Supervisee’s arrest for possession of marijuana and his interstate travel (*see* Doc. No. 292), IT IS HEREBY ORDERED that the October 5th hearing shall proceed as scheduled.

The Court will reserve decision as to the Supervisee's release status until the October 5th hearing.

SO ORDERED.

Dated:           October 1, 2021  
                  New York, New York



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RICHARD J. SULLIVAN  
UNITED STATES CIRCUIT JUDGE  
Sitting by Designation